

McGREGOR W. SCOTT  
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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROYCE HENDERSON,  
Plaintiff,

v.

JO ANNE B. BARNHART,  
Commissioner of  
Social Security,  
Defendant.

CIV-S-04-2400 GEB PAN

STIPULATION AND [proposed]  
ORDER SETTling ATTORNEY'S  
FEES, COSTS, AND EXPENSES  
PURSUANT TO THE EQUAL  
ACCESS TO JUSTICE ACT

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that counsel for plaintiff be awarded attorney's fees under the Equal Access to Justice Act (EAJA) in the amount of TWO HUNDRED TWENTY FIVE AND 00/100 DOLLARS (\$225.00), and costs in the amount of ONE HUNDRED FIFTY AND 00/100 DOLLARS (\$150.00), said amounts together representing compensation for legal services rendered on behalf of plaintiff by her attorney in accordance with 28 U.S.C. § 2412(d).

This stipulation constitutes a compromise settlement of plaintiff's request for all fees, costs, and expenses under the EAJA, and does not constitute an admission of liability on the part of defendant under the EAJA. Payment in the amount of TWO HUNDRED TWENTY FIVE AND

00/100 DOLLARS in fees (\$225.00) and ONE HUNDRED FIFTY AND 00/100 DOLLARS (\$150.00) in costs, shall constitute a complete release from and bar to any and all claims plaintiff may have relating to EAJA fees, costs, and expenses in connection with this action, but such award will not prejudice any future request for attorney's fees under the Social Security Act, 42 U.S.C. § 406(b).

DATED: May 3, 2005

/s/ Ann M. Cerney

ANN M. CERNEY

Attorney at Law

Attorney for Plaintiff

DATED: May 3, 2005

McGREGOR W. SCOTT

United States Attorney

By: /s/ Bobbie J. Montoya

BOBBIE J. MONTOYA

Assistant U. S. Attorney

Attorneys for Defendant

OF COUNSEL

LUCILLE GONZALES MEIS  
Chief Counsel, Region IX

GERALYN A. GULSETH  
Assistant Regional Counsel

Social Security Administration

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ORDER

Payment under the Equal Access to Justice Act of attorney's fees in the amount of \$225.00 and costs in the amount of \$150.00, is hereby APPROVED.

SO ORDERED.

Dated: May , 2005

/s/ Garland E. Burrell, Jr.  
GARLAND E. BURRELL, JR.  
United States District Judge